

Public Law 101-447
101st Congress

An Act

To transfer to the Secretary of the Interior the administration of the surface rights in certain lands presently within the boundaries of the San Carlos Indian Reservation, Arizona, and managed by the Forest Service as part of the Coronado National Forest, and for other purposes.

Oct. 22, 1990
[H.R. 4593]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

San Carlos
Mineral Strip
Act of 1990.

SECTION 1. SHORT TITLE.

This Act may be cited as the "San Carlos Mineral Strip Act of 1990".

SEC. 2. DEFINITION.

For the purposes of this Act, the term "San Carlos Apache Mineral Strip" means that portion of the San Carlos Apache Reservation which was conditionally ceded to the United States, as described by the Agreement dated February 25, 1896, and ratified by the Act of June 10, 1896 (29 Stat. 360).

SEC. 3. CONFIRMATION OF BOUNDARY.

Congress hereby affirms that the San Carlos Apache Reservation, as established and described by the Executive orders of November 9, 1871, and December 14, 1872, includes all lands which lie within the San Carlos Apache Mineral Strip which are presently managed by the Forest Service as part of the Coronado National Forest. The boundary of the Coronado National Forest is hereby modified to exclude such lands.

SEC. 4. DATE OF ESTABLISHMENT.

The lands referred to in section 3 which were managed by the Forest Service before the effective date of this Act shall be deemed to have been held in trust by the United States for the benefit of the San Carlos Apache Tribe since December 14, 1872. Nothing in this Act may be construed to establish, in any action brought by the San Carlos Apache Tribe, whether or not the tribe is entitled to payment for damages arising from the management of such lands by the Forest Service before the date of enactment of this Act.

SEC. 5. ADMINISTRATION OF LANDS.

All right, title, and interest in the lands referred to in section 4 shall hereafter—

- (1) be administered by the Secretary of the Interior; and
- (2) be held in trust by the United States for the benefit of the San Carlos Apache Tribe.

Such lands shall be a part of the San Carlos Apache Indian Reservation for all purposes.

SEC. 6. PURCHASE OF RANGE IMPROVEMENTS.

If offered to the Secretary within 180 days after the date of enactment of this Act, the Secretary shall acquire the permanent

improvements on the grazing allotment located on the lands referred to in section 4 which are subject to a grazing permit from the Forest Service on the date of enactment of this Act. The Secretary shall pay \$122,842 for such improvements.

SEC. 7. SAVINGS PROVISION.

Nothing in this Act shall affect or modify any valid entry or other valid existing rights under the mining laws of the United States.

SEC. 8. EFFECTIVE DATE.

Sections 3, 4, and 5 of this Act shall take effect upon certification by the Secretary that the provisions of section 6 have been satisfied.

Approved October 22, 1990.

LEGISLATIVE HISTORY—H.R. 4593:

HOUSE REPORTS: No. 101-666 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD, Vol. 136 (1990):

Oct. 1, considered and passed House.

Oct. 5, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 26 (1990):

Oct. 22, Presidential statement.